

EXHIBIT C

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Attorneys for DEFENDANTS CITY OF
ANAHEIM, et al.

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

ANTONIO LOPEZ, individually;
JOHANNA LOPEZ, individually;
M.R., by and through his guardian ad
litem, April Rodriguez, individually and
as successor in interest to Brandon
Lopez; B.L. and J.L., by and through
their guardian ad litem Rachel Perez,
individually and as successor in interest
to Brandon Lopez; S.L., by and through
his guardian ad litem, Rocio Flores,
individually and as successor in interest
to Brandon Lopez,

Plaintiffs,

vs.

CITY OF ANAHEIM; CITY OF
SANTA ANA; DAVID VALENTIN;
JORGE CISNEROS; PAUL
DELGADO; BRETT HEITMAN;
KENNETH WEBER; CAITLIN
PANOV; DOES 1-10,

Defendants.

Case No. 8:22-cv-1351

[Assigned for All Purposes to: Hon.
James V. Selna]

**DEFENDANT CITY OF
ANAHEIM'S RESPONSES TO
PLAINTIFF'S REQUEST FOR
PRODUCTION OF DOCUMENTS,
SET ONE**

Non-Expert DCO: 02/16/2024

Trial Date: 05/14/2024

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1 PROPOUNDING PARTY: Plaintiff ANTONIO LOPEZ
2 RESPONDING PARTY: Defendant CITY OF ANAHEIM
3 SET NO.: ONE

4 Defendant CITY OF ANAHEIM (“Defendant” or “Responding Party”)
5 hereby provides its Responses to Plaintiff’s Requests for Production of Documents,
6 Set One, pursuant to Rule 34 of the Federal *Rules of Civil Procedure*.

7 **PRELIMINARY STATEMENT**

8 It should be noted that Responding Party has not fully completed its
9 investigation of the facts relating to the case, has not fully completed discovery in
10 this action, and has not completed preparation for trial. All of the responses
11 contained herein are based only upon such information and documents which are
12 presently available to and specifically known to Responding Party and disclose only
13 those contentions which presently occur to Responding Party. It is anticipated that
14 further discovery, independent investigation, legal research, and analysis will supply
15 additional facts, add meaning to known facts, and establish entirely new factual
16 conclusions and legal contentions, all of which may lead to substantial additions to,
17 changes in, and variations from the contentions herein set forth. The following
18 responses are given without prejudice to Responding Party’s right to produce
19 evidence of any subsequently discovered fact or facts which may later develop.

20 The responses contained herein are made in a good faith effort to supply as
21 much factual information and as much specification of legal contention as is
22 presently known, but should in no way be to the prejudice of Responding Party in
23 relation to further discovery, research or analysis.

24 **GENERAL OBJECTIONS**

25 The following responses are made solely for the purposes of this action. Each
26 response is subject to any and all objections as to competence, relevance,
27 materiality, propriety and admissibility, and any and all objections on grounds that
28 would require the exclusion of any statement or material herein, if any question

1 were asked of, or any statement or material contained herein were made by, a
2 witness present and testifying in court, all of which objections and grounds are
3 reserved and may be interposed at the time of trial.

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1 **RESPONSE TO REQUEST FOR PRODUCTION OF DOCUMENTS**

2 **REQUEST NO. 1:**

3 Produce a complete copy of ALL police reports pertaining to the arrest and/or
4 detention of PLAINTIFF Antonio Lopez during the INCIDENT.

5 **RESPONSE TO REQUEST NO. 1:**

6 OBJECTION: This request is compound as phrased. Additionally, this request
7 calls for documents from multiple sources, some of which would not in the
8 possession, custody, or control of the responding party. As such, this request seeks
9 documents that are equally available to the propounding party as the responding
10 party.

11 Further, as phrased, this request potentially calls for the production of
12 documents or information that are privileged from disclosure under the federal law
13 enforcement investigative privilege, the federal executive-deliberative process and
14 official information privileges, the federal and California constitutional right to
15 **privacy** (as underscored and/or augmented by the statutory peace officer personnel
16 records *Pitchess* privileges pursuant to California Penal Code sections 832.5 through
17 832.8, as well as California Evidence Code sections 1040 through 1048, and the
18 associated case law), and/or – in light of its broad phrasing so as to potentially include
19 Defendants’ *attorneys*– potentially including the attorney-client privilege (including
20 but not limited to its investigative aspect) and/or the attorney work product protection.

21 Defendants incorporate by reference here each of the objections stated in the
22 General Objections section, *supra*.

23 **REQUEST NO. 2:**

24 Produce a complete copy of ALL video footage, including but not limited to
25 body worn camera footage, depicting the arrest and/or detention of PLAINTIFF
26 Antonio Lopez during the INCIDENT.

27 **RESPONSE TO REQUEST NO. 2:**

28 OBJECTION: This request is compound as phrased. Additionally, this request

1 calls for documents from multiple sources, some of which would not in the
2 possession, custody, or control of the responding party. As such, this request seeks
3 documents that are equally available to the propounding party as the responding
4 party.

5 Further, as phrased, this request potentially calls for the production of
6 documents or information that are privileged from disclosure under the federal law
7 enforcement investigative privilege, the federal executive-deliberative process and
8 official information privileges, the federal and California constitutional right to
9 **privacy** (as underscored and/or augmented by the statutory peace officer personnel
10 records *Pitchess* privileges pursuant to California Penal Code sections 832.5 through
11 832.8, as well as California Evidence Code sections 1040 through 1048, and the
12 associated case law), and/or – in light of its broad phrasing so as to potentially include
13 Defendants’ *attorneys*– potentially including the attorney-client privilege (including
14 but not limited to its investigative aspect) and/or the attorney work product protection.

15 Defendants incorporate by reference here each of the objections stated in the
16 General Objections section, *supra*.

17 **REQUEST NO. 3:**

18 Produce a complete copy of ALL photographs depicting the arrest and/or
19 detention of PLAINTIFF Antonio Lopez during the INCIDENT.

20 **RESPONSE TO REQUEST NO. 3:**

21 OBJECTION: This request is compound as phrased. Additionally, this request
22 calls for documents from multiple sources, some of which would not in the
23 possession, custody, or control of the responding party. As such, this request seeks
24 documents that are equally available to the propounding party as the responding
25 party.

26 Further, as phrased, this request potentially calls for the production of
27 documents or information that are privileged from disclosure under the federal law
28 enforcement investigative privilege, the federal executive-deliberative process and

1 official information privileges, the federal and California constitutional right to
2 **privacy** (as underscored and/or augmented by the statutory peace officer personnel
3 records *Pitchess* privileges pursuant to California Penal Code sections 832.5 through
4 832.8, as well as California Evidence Code sections 1040 through 1048, and the
5 associated case law), and/or – in light of its broad phrasing so as to potentially include
6 Defendants’ *attorneys*– potentially including the attorney-client privilege (including
7 but not limited to its investigative aspect) and/or the attorney work product protection.

8 Defendants incorporate by reference here each of the objections stated in the
9 General Objections section, *supra*.

10 **REQUEST NO. 4:**

11 Produce a complete copy of ALL statements and/or interviews of civilian
12 witnesses PERTAINING TO the arrest and/or detention of PLAINTIFF Antonio
13 Lopez during the INCIDENT.

14 **RESPONSE TO REQUEST NO. 4:**

15 OBJECTION: This request is compound as phrased. Additionally, this request
16 calls for documents from multiple sources, some of which would not in the
17 possession, custody, or control of the responding party. As such, this request seeks
18 documents that are equally available to the propounding party as the responding
19 party.

20 Further, as phrased, this request potentially calls for the production of
21 documents or information that are privileged from disclosure under the federal law
22 enforcement investigative privilege, the federal executive-deliberative process and
23 official information privileges, the federal and California constitutional right to
24 **privacy** (as underscored and/or augmented by the statutory peace officer personnel
25 records *Pitchess* privileges pursuant to California Penal Code sections 832.5 through
26 832.8, as well as California Evidence Code sections 1040 through 1048, and the
27 associated case law), and/or – in light of its broad phrasing so as to potentially include
28 Defendants’ *attorneys*– potentially including the attorney-client privilege (including

1 but not limited to its investigative aspect) and/or the attorney work product protection.

2 Defendants incorporate by reference here each of the objections stated in the
3 General Objections section, *supra*.

4 **REQUEST NO. 5:**

5 Produce a complete copy of ALL statements and/or interviews of civilian
6 witnesses PERTAINING TO the INCIDENT.

7 **RESPONSE TO REQUEST NO. 5:**

8 OBJECTION: This request is compound as phrased. Additionally, this request
9 calls for documents from multiple sources, some of which would not in the
10 possession, custody, or control of the responding party. As such, this request seeks
11 documents that are equally available to the propounding party as the responding
12 party.

13 Further, as phrased, this request potentially calls for the production of
14 documents or information that are privileged from disclosure under the federal law
15 enforcement investigative privilege, the federal executive-deliberative process and
16 official information privileges, the federal and California constitutional right to
17 **privacy** (as underscored and/or augmented by the statutory peace officer personnel
18 records *Pitchess* privileges pursuant to California Penal Code sections 832.5 through
19 832.8, as well as California Evidence Code sections 1040 through 1048, and the
20 associated case law), and/or – in light of its broad phrasing so as to potentially include
21 Defendants’ *attorneys*– potentially including the attorney-client privilege (including
22 but not limited to its investigative aspect) and/or the attorney work product protection.

23 Defendants incorporate by reference here each of the objections stated in the
24 General Objections section, *supra*.

25 **REQUEST NO. 6:**

26 Produce a complete copy of ALL statements and/or interviews of law
27 enforcement personnel PERTAINING TO the arrest and/or detention of
28 PLAINTIFF Antonio Lopez during the INCIDENT.

1 **RESPONSE TO REQUEST NO. 6:**

2 OBJECTION: This request is compound as phrased. Additionally, this request
3 calls for documents from multiple sources, some of which would not in the
4 possession, custody, or control of the responding party. As such, this request seeks
5 documents that are equally available to the propounding party as the responding
6 party.

7 Further, as phrased, this request potentially calls for the production of
8 documents or information that are privileged from disclosure under the federal law
9 enforcement investigative privilege, the federal executive-deliberative process and
10 official information privileges, the federal and California constitutional right to
11 **privacy** (as underscored and/or augmented by the statutory peace officer personnel
12 records *Pitchess* privileges pursuant to California Penal Code sections 832.5 through
13 832.8, as well as California Evidence Code sections 1040 through 1048, and the
14 associated case law), and/or – in light of its broad phrasing so as to potentially include
15 Defendants’ *attorneys*– potentially including the attorney-client privilege (including
16 but not limited to its investigative aspect) and/or the attorney work product protection.

17 Defendants incorporate by reference here each of the objections stated in the
18 General Objections section, *supra*.

19 **REQUEST NO. 7:**

20 Produce a complete copy of ALL statements and/or interviews of law
21 enforcement personnel PERTAINING TO the INCIDENT.

22 **RESPONSE TO REQUEST NO. 7:**

23 OBJECTION: This request is compound as phrased. Additionally, this request
24 calls for documents from multiple sources, some of which would not in the
25 possession, custody, or control of the responding party. As such, this request seeks
26 documents that are equally available to the propounding party as the responding
27 party.

28 Further, as phrased, this request potentially calls for the production of

documents or information that are privileged from disclosure under the federal law enforcement investigative privilege, the federal executive-deliberative process and official information privileges, the federal and California constitutional right to **privacy** (as underscored and/or augmented by the statutory peace officer personnel records *Pitchess* privileges pursuant to California Penal Code sections 832.5 through 832.8, as well as California Evidence Code sections 1040 through 1048, and the associated case law), and/or – in light of its broad phrasing so as to potentially include Defendants’ *attorneys*– potentially including the attorney-client privilege (including but not limited to its investigative aspect) and/or the attorney work product protection.

Defendants incorporate by reference here each of the objections stated in the General Objections section, *supra*.

REQUEST NO. 8:

Produce a complete copy of ALL statements and/or interviews by Defendants Paul Delgado, Brett Heitmann, Caitlin Panov, and Kenneth Weber PERTAINING TO the INCIDENT.

RESPONSE TO REQUEST NO. 8:

OBJECTION: This request is compound as phrased. Additionally, this request calls for documents from multiple sources, some of which would not in the possession, custody, or control of the responding party. As such, this request seeks documents that are equally available to the propounding party as the responding party.

Further, as phrased, this request potentially calls for the production of documents or information that are privileged from disclosure under the federal law enforcement investigative privilege, the federal executive-deliberative process and official information privileges, the federal and California constitutional right to **privacy** (as underscored and/or augmented by the statutory peace officer personnel records *Pitchess* privileges pursuant to California Penal Code sections 832.5 through 832.8, as well as California Evidence Code sections 1040 through 1048, and the

1 associated case law), and/or – in light of its broad phrasing so as to potentially include
2 Defendants’ *attorneys*– potentially including the attorney-client privilege (including
3 but not limited to its investigative aspect) and/or the attorney work product protection.

4 Defendants incorporate by reference here each of the objections stated in the
5 General Objections section, *supra*.

6 **REQUEST NO. 9:**

7 Produce a complete copy of ALL video footage taken by journalists on scene
8 during the INCIDENT.

9 **RESPONSE TO REQUEST NO. 9:**

10 OBJECTION: This request calls for documents from multiple sources, some
11 of which would not in the possession, custody, or control of the responding party.
12 As such, this request seeks documents that are equally available to the propounding
13 party as the responding party.

14 Further, as phrased, this request potentially calls for the production of
15 documents or information that are privileged from disclosure under the federal law
16 enforcement investigative privilege, the federal executive-deliberative process and
17 official information privileges, the federal and California constitutional right to
18 **privacy** (as underscored and/or augmented by the statutory peace officer personnel
19 records *Pitchess* privileges pursuant to California Penal Code sections 832.5 through
20 832.8, as well as California Evidence Code sections 1040 through 1048, and the
21 associated case law), and/or – in light of its broad phrasing so as to potentially include
22 Defendants’ *attorneys*– potentially including the attorney-client privilege (including
23 but not limited to its investigative aspect) and/or the attorney work product protection.

24 Defendants incorporate by reference here each of the objections stated in the
25 General Objections section, *supra*.

26 **REQUEST NO. 10:**

27 Produce a complete copy of ALL documents pertaining to ALL extraction
28 and/or analysis of DECEDENT’s cellphone.

1 **RESPONSE TO REQUEST NO. 10:**

2 OBJECTION: This request is vague, ambiguous, and overbroad as phrased.
3 Further, this request is compound as phrased. Additionally, this request calls for
4 documents from multiple sources, some of which would not in the possession,
5 custody, or control of the responding party. As such, this request seeks documents
6 that are equally available to the propounding party as the responding party.

7 Further, as phrased, this request potentially calls for the production of
8 documents or information that are privileged from disclosure under the federal law
9 enforcement investigative privilege, the federal executive-deliberative process and
10 official information privileges, the federal and California constitutional right to
11 **privacy** (as underscored and/or augmented by the statutory peace officer personnel
12 records *Pitchess* privileges pursuant to California Penal Code sections 832.5 through
13 832.8, as well as California Evidence Code sections 1040 through 1048, and the
14 associated case law), and/or – in light of its broad phrasing so as to potentially include
15 Defendants’ *attorneys*– potentially including the attorney-client privilege (including
16 but not limited to its investigative aspect) and/or the attorney work product protection.

17 Defendants incorporate by reference here each of the objections stated in the
18 General Objections section, *supra*.

19 **REQUEST NO. 11:**

20 Produce a complete copy of the note addressed to DECEDENT’s children
21 found in the car DECEDENT was in during the INCIDENT.

22 **RESPONSE TO REQUEST NO. 11:**

23 OBJECTION: This request is vague, ambiguous, and overbroad as phrased. .

24 Further, as phrased, this request potentially calls for the production of
25 documents or information that are privileged from disclosure under the federal law
26 enforcement investigative privilege, the federal executive-deliberative process and
27 official information privileges, the federal and California constitutional right to
28 **privacy** (as underscored and/or augmented by the statutory peace officer personnel

1 records *Pitchess* privileges pursuant to California Penal Code sections 832.5 through
2 832.8, as well as California Evidence Code sections 1040 through 1048, and the
3 associated case law), and/or – in light of its broad phrasing so as to potentially include
4 Defendants’ *attorneys*– potentially including the attorney-client privilege (including
5 but not limited to its investigative aspect) and/or the attorney work product protection.

6 Defendants incorporate by reference here each of the objections stated in the
7 General Objections section, *supra*.

8
9 DATED: December 11, 2023 LEWIS BRISBOIS BISGAARD & SMITH LLP

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11
12 By: / s / *Tori L.N. Bakken*
13 TONY M. SAIN
14 TORI L. N. BAKKEN
15 Attorneys for DEFENDANTS CITY OF
16 ANAHEIM, et al.
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FEDERAL COURT PROOF OF SERVICE
LOPEZ, ANTONIO, et al. v. CITY OF ANAHEIM, et al.
Case No. 8:22-cv-1351

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to the action. My business address is 633 West 5th Street, Suite 4000, Los Angeles, CA 90071. I am employed in the office of a member of the bar of this Court at whose direction the service was made.

On December 11, 2023, I served the following document(s): **DEFENDANT CITY OF ANAHEIM'S RESPONSES TO PLAINTIFF'S REQUEST FOR PRODUCTION OF DOCUMENTS, SET ONE**

I served the documents on the following persons at the following addresses (including fax numbers and e-mail addresses, if applicable):

Dale K. Galipo, Esq.
Renee V. Masongsong, Esq.
LAW OFFICES OF DALE K. GALIPO
21800 Burbank Boulevard, Suite 310
Woodland Hills, CA 91367
Tel: (818) 347-3333
Fax: (818) 347-4118
dalekgalipo@yahoo.com
rvalentine@galipolaw.com

ATTORNEYS FOR PLAINTIFFS:
B.L., J.L., and M.R.

The documents were served by the following means:

- ☒ (BY U.S. MAIL) I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses listed above and I deposited the sealed envelope or package with the U.S. Postal Service, with the postage fully prepaid.
- ☒ (BY E-MAIL OR ELECTRONIC TRANSMISSION) Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the persons at the e-mail addresses listed above. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed on December 11, 2023, at Los Angeles, California.

/s/ *Curfew F. Wilson*

Curfew F. Wilson